

To: Minter, Douglas[Minter.Douglas@epa.gov]; Hoskie, Sadie[Hoskie.Sadie@epa.gov]
From: Boomgaard, Craig
Sent: Wed 1/29/2014 4:24:27 PM
Subject: RE: carbon capture question

Sadie,

Below is the updated ND primacy information. The only new news is that the primacy application will be draft published in the May Federal Register, assuming all goes well between HQ and the FR folks. They still are planning on publishing the draft with final approval at the same time, barring any public comment it will go final 30 days after publishing. I have added the May information in this update.

The primacy application from ND for delegation of UIC Class VI (carbon sequestration) went to public comment and responses have been drafted by EPA. A *Federal Register* notice was signed by the Regional Administrator and published August 9, 2013, stating that the EPA Office of Water (OW) received this application from North Dakota. EPA has reached agreement on clarifying MOA language with the State in response to comments and was signed on October 29, 2013 by the RA. EPA is preparing a second notice for EPA's decision on whether to grant primacy through formal rulemaking. EPA anticipates making a final decision on this primacy application in May 2014. If approved, North Dakota will become the first state in the nation to obtain UIC Class VI primacy.

Craig Boomgaard, P.G., PMP

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Boomgaard.Craig@epa.gov

From: Minter, Douglas
Sent: Tuesday, January 28, 2014 3:02 PM
To: Boomgaard, Craig
Cc: Hoskie, Sadie
Subject: FW: carbon capture question

Craig: please take our last version (see below) of the NDIC Class VI primacy WAR narrative and update it for this request. Please reply back to Sadie and cc me.

The primacy application from ND for delegation of UIC Class VI (carbon sequestration) went to public comment and responses have been drafted by EPA. A *Federal Register* notice was signed by the Regional Administrator and published August 9, 2013, stating that the EPA Office of Water (OW) received this application from North Dakota. EPA has reached agreement on clarifying MOA language with the State in response to comments and was signed on October 29, 2013 by the RA. EPA is preparing a second notice for EPA's decision on whether to grant primacy through formal rulemaking. EPA anticipates making a final decision on this primacy application in 2014. If approved, North Dakota will become the first state in the nation to obtain UIC Class VI primacy.

Douglas

From: Shanahan, Mike
Sent: Tuesday, January 28, 2014 2:49 PM
To: Hoskie, Sadie; Morlock, Nancy
Cc: Minter, Douglas
Subject: RE: carbon capture question

This is good info Sadie - thank you. I would like to get a paragraph on it please. Any other info would be helpful too.

Thanks much!

Mike

Mike Shanahan

Chief of Staff

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From: Hoskie, Sadie
Sent: Tuesday, January 28, 2014 2:44 PM
To: Shanahan, Mike; Morlock, Nancy
Cc: Minter, Douglas
Subject: RE: carbon capture question

ND has a primacy application in for UIC Class VI (carbon sequestration) and we are working with OGWDW to process the package and it should be finalized sometime this year (late spring or early summer). We can give you a paragraph on that if you wish. As far as permitting facilities under this rule, R5 is drafting 5 or 6 permits from facilities (note: EPA is the permitting authority until we delegate to a state). So far, ND is the only state that has come in for primacy to our knowledge. We may have a permit to issue from a facility in MT (but we have not received the application yet). I will cc Douglas on this in case you have other questions or need anything more from us. Thanks.

Sadie

From: Shanahan, Mike
Sent: Tuesday, January 28, 2014 2:26 PM
To: Morlock, Nancy; Hoskie, Sadie
Subject: RE: carbon capture question

Sadie,

Any background on this we could provide to HQs RCRA folks?

Thanks Nancy!

Mike

Mike Shanahan

Chief of Staff

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From: Morlock, Nancy
Sent: Tuesday, January 28, 2014 2:23 PM
To: Shanahan, Mike; Pearson, Janice
Subject: RE: carbon capture question

Rod Hubbard was our contact on the HQ workgroup, which I believe concluded its efforts about a year ago. You might check with Sadie to see if UIC has some information on this.

Nancy

From: Shanahan, Mike

Sent: Tuesday, January 28, 2014 2:12 PM
To: Morlock, Nancy; Pearson, Janice
Subject: FW: carbon capture question

Do any of you have a response for this? I can ask EPR too.

Mike

Mike Shanahan

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From: Elliott, Ross
Sent: Tuesday, January 28, 2014 2:07 PM
To: Shanahan, Mike
Subject: carbon capture question

Hi Mike, I work for Barnes Johnson in ORCR, and he asked this morning about an issue raised in senior staff regarding something related to a carbon capture technology. That's about all he had, but he asked I check w/ you just to close the loop.

As you may know, we don't do much on carbon capture here in ORCR; however, we recently promulgated a conditional exclusion from the RCRA defn. of hw for CO2 streams injected into UIC Class VI wells. In developing that rule, we did interact quite a bit w/ other folks in EPA who work w/ Carbon Capture and Storage and thus are familiar w/ the issues, generally.

Do you know what Barnes might be referring to? Thanks for any information you might have.

Ross Elliott

Associate Director

Materials Recovery and Waste Management Division

Office of Resource Conservation and Recovery

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